

## REMARKS

Claims 1-10 and 12-29 are pending with the entry of this Amendment.

The following sections address *in seriatim* the points in the Office Action requiring response.

### **Claim Objections**

Claims 12 and 17 have been objected to because the claims include the phrase “the improvement” which the examiner considers to “not represent any structural limitations and/or any patentability considerations.” However, Applicant asserts that Claims 12 and 17 are properly written in *Jepson* format pursuant to 37 C.F.R. § 1.75(e), which requires the inclusion of a phrase such as “the improvement”. Thus no correction to Claims 12 and 17 are required. Furthermore, in each of Claims 12 and 17 the limitations following the phrase “the improvement” do represent “structural limitations and/or . . . patentability considerations.” Accordingly, reconsideration and withdrawal of the objection is hereby solicited.

### **The Rejections under 35 U.S.C. §103**

#### **Maggelet in view of Cannella**

At pages 2 through 4 of the Office Action, the Examiner improperly rejected Claims 1-10, 13-16, 18-19, 22 and 25-27 under 35 U.S.C. §103(a) as being unpatentable by U.S. Patent No. 5,099,391 to Maggelet, et al. (“Maggelet”) in view of U.S. Patent No. 6,144,561 to Cannella, et al. (“Cannella”). It appears the Examiner has misread and

improperly applied the teachings of the cited references. Further, the Examiner has not established a *prima facie* case of obviousness in this Action. For at least these reasons, the Applicant requests withdrawal of the § 103(a) rejection.

In order for the Examiner to establish a *prima facie* case for obviousness, three (3) criteria must be met. First, there must be some suggestion or motivation, either in the cited prior art references or in the knowledge generally available to those of ordinary skill in the art, to modify the primary reference as the Examiner proposes. Second, there must be a reasonable expectation of success in connection with the Examiner's proposed combination of the references. Third, the prior art references must disclose or suggest all of the claimed limitations. *See* MPEP 2143. The Examiner has failed to establish a *prima facie* case for obviousness because the Examiner failed to satisfy his burden of showing that the prior art discloses or suggests all of the claimed elements of Claims 1-10, 13-16, 18-19, 22 and 25-27 and, as such, failed to satisfy his burden of showing that there is a suggestion or motivation to one of ordinary skill in the art to modify the primary reference as the Examiner proposes.

Independent claims 1, 6, 13, 18 and 19 each provide a similar element of printed circuit cards having a faceplate and an insert panel overlying the faceplate. However, the Examiner appears to have misread and improperly applied the teachings of the primary reference Maggelet to teach this element. For example, the Examiner asserts that Maggelet teaches "a plurality of printed circuit cards...each of said printed circuit cards having a faceplate...[and] an insert panel carried by and overlying said faceplate."

(bracketed references omitted) *See* Office Action, pages 2-3. The Examiner is incorrect in this assertion.

In contrast, Maggelet discloses and teaches a housing 10 that encloses a circuit board assembly 12. The housing 10 includes a left side wall 14, a right side wall 16, and a front wall segment 26. (Col. 2, lines 52-56, Col. 3, lines 13-19). The circuit board assembly 12 includes connectors 83, a battery holder 85, power supply status indicators 81, fuse holders 77, a terminal block 75 and a power on-off switch 79. (Figure 2 and Col. 4, lines 2-17). Thus, rather than the circuit board assembly providing the faceplate, it is clear that the housing of Maggelet provides the faceplate. Therefore, in contrast to the assertions of the Examiner, Maggelet does not teach, disclose or suggest “a plurality of printed circuit cards...each of said printed circuit cards having a faceplate...[and] an insert panel carried by and overlying said faceplate.” For at least these reasons, the primary reference Maggelet is insufficient to provide a *prima facie* case of obviousness and the Examiner has not met his burden showing otherwise.

Further, the Examiner improperly asserts that Maggelet teaches the claimed invention with the exception of teaching a panel having an adaptor for electrically connecting the internal side of said adaptor to one of said terminations and removing the weight of a connector and conductor from the printed circuit board to which it is connected, and improperly asserts that Cannella in combination with Maggelet, teaches these elements. While Applicant agrees that Maggelet does not teach the aforementioned

elements, Applicant cannot find this teaching in Cannella or any motivation or teaching in either Maggelet or Cannella to combine the references as suggested by the examiner.

For example, as discussed above, Maggelet is generally directed to a housing for a circuit board and discloses an adapter plate that attaches to the housing rather than the circuit board, the plate providing openings to expose a plurality of input/output devices that are present on the board. However, Maggelet fails to teach (a) printed circuit cards having a faceplate; (b) an insert panel carried by and overlying said faceplate; (c) the panel having an adaptor for electrically connecting the internal side of said adaptor to one of said terminations (as admitted by the Examiner); and (d) removing the weight of a connector and conductor from the printed circuit board to which it is connected (as admitted by the Examiner). Cannella is equally unavailing to teach or suggested these elements and the Examiner has not met his burden showing otherwise.

For example, Cannella is generally directed to and discloses a system for circuit board mounting racks allowing a particular slot in the rack to be reconfigured for plug-action with a particular type of circuit module, with input/output signal cables for that type of circuit module coupled to the assembly rather than directly to the circuit module in a Cable TV network. (See Cannella, Col. 1, line 63 – Col. 2, line 27). Each of these input/output assemblies 15a, 15b, 15c...15h, are connected to the back panel 12 of the housing 10. With reference to Figures 1 and 2 of Cannella, a backplane 32 is provided affixed to the rear portion of the housing. The backplane 32 provides card sockets 34 for supporting the cards 18 and openings 37 for providing connections between a signal

connector 24 on a card 18 and a rear connector 40 of input/output assembly 15h. (Col. 5, lines 23-45). It is evident that there is no teaching or suggestion in Cannella of (a) printed circuit cards having a faceplate or (b) an insert panel carried by and overlying said faceplate and Cannella cannot supplement these deficiencies of Maggelet. Rather, Cannella simply discloses providing a circuit card without any faceplate, the circuit card having connectors for connecting to and through the backplane. It is also clear that there is no teaching in Cannella of (c) a panel (i.e., the insert panel carried by and overlying a faceplate of a circuit board) having an adaptor for electrically connecting the internal side of said adaptor to one of said terminations and (d) removing the weight of a connector and conductor from the printed circuit board by the faceplate. Thus, the primary reference Maggelet alone or in combination with Cannella is insufficient to provide a *prima facie* case of obviousness and the Examiner has not met his burden showing otherwise. Reconsideration and withdrawal of the rejection of independent Claims 1, 6, 13, 18 and 19 are hereby solicited.

Claims 2-5 and 16; Claims 7-10; Claims 14-15; Claim 22; and Claims 25-27 are dependent upon independent Claims 1, 6, 13, 20 and 23, respectively. Claims 1, 6, 13, 20 and 23 and in condition for allowance, thus, "[i]f an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious." *See* MPEP 2143.03. Therefore, the Applicant respectfully requests that the Examiner withdraw the §103 rejection of Claims 2-5, 7-10, 14-16, 22 and 25-27.

Cannella in view of Begley

At pages 4 through 5 of the Office Action, the Examiner improperly rejected Claims 12 and 29 under 35 U.S.C. §103(a) as being unpatentable by Cannella in view of U.S. Patent No. 6,558,201 to Begley, et. al. ("Begley"). The Examiner, again, has misread the art and has not met his burden of providing a *prima facie* case of obviousness. For example, as discussed above, there is no teaching or suggestion in Cannella of (a) printed circuit cards having a faceplate or (b) an insert panel carried by and overlying said faceplate. Thus, for at least these reasons, Cannella has been improperly utilized as the primary reference.

Furthermore, the Examiner attempts to supplement the deficiencies of Cannella with Begley regarding the element of "downwardly angled through-connectors" and cites to Figure 1, connectors 185, 190 and 195 of Begley for support thereof. In contrast, Begley merely discloses that "signal contacts of an audio interface connector 170 mate with electrical contacts of a computer peripheral audio interface connector 190, and power contacts of a power interface connector 180 engage electrical contacts of a computer peripheral power interface connector 195." (Col. 5, lines 50-54). This is not a disclosure that any of these connectors are "downwardly angled"; furthermore, Figure 1 explicitly shows that these connectors are merely horizontal connections. The wires or cabling feeding the connectors appear to possess a downward angle; however, this clearly is not a disclosure or teaching of "downwardly angled through-connectors." The entire reference of Begley is silent with regard to this element and Applicant does not

understanding the reasoning for the citation of Begley in this regard. Thus, the Examiner has not met his burden of establishing a *prima facie* case of obviousness for Claims 12 and 29. Reconsideration and withdrawal of the rejection of independent Claims 12 and 29 are hereby solicited.

**The Rejection under 35 U.S.C. §102(e)**

At pages 5-6 of the Office Action, the Examiner improperly rejected Claims 17, 20-21, and 23-24 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,099,391 to Maggelet, et al. ("Maggelet"). It appears that the § 102(e) rejection is premised upon a misreading of Maggelet and thus the reference does not disclose each and every element of Claims 17, as amended, 20-21, and 23-24. Therefore, the rejection under 35 U.S.C. 102(e) is improper and must be withdrawn.

For example, Maggelet discloses and teaches a housing 10 that encloses a circuit board assembly 12. The housing 10 includes a left side wall 14 and a right side wall 16 as well as a front wall segment 26. (Col. 2, lines 52-56, Col. 3, lines 13-19). The circuit board assembly 12 includes connectors 83, a battery holder 85, power supply status indicators 81, fuse holders 77, a terminal block 75 and a power on-off switch 79. (Col. 4, lines 2-17). Thus, rather than the circuit board assembly providing the faceplate, it is clear that the housing of Maggelet provides the faceplate. Therefore, in contrast to the assertions of the Examiner, Maggelet does not teach each and every element of independent Claims 17, 20 and 23. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e) is hereby solicited.

Claims 21 and 24 are dependent upon independent Claims 20 and 23, respectively. Claims 20 and 23 are in condition for allowance, thus, “[i]f an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious.” *See* MPEP 2143.03. Therefore, the Applicant respectfully requests that the Examiner withdraw the §102 rejection of Claims 21 and 24.



**Conclusion**

Applicant submits that the present application is in condition for allowance.

Allowance of Claims 1-10 and 12-29 is respectfully requested.

If the Examiner believes that an in-person or telephonic interview with the Applicant's representatives will expedite the prosecution of the subject patent application, the Examiner is invited to contact the undersigned agents of record.

Should any additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of the same, such a petition is made and the Office is authorized to charge such fees to Deposit Account No. 04-1679.

Respectfully submitted,



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